

TWELFTH DAY.

Senate Chamber,
Austin, Tex., Friday, Sept. 27, 1901.
The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

The roll was called, a quorum being present, the following Senators answering to their names:

Beaty.	Miller.
Davidson of	Neal.
DeWitt.	Patterson.
Davidson of	Potter.
Galveston.	Savage.
Dibrell.	Sebastian.
Goss.	Staples.
Grinnan.	Swann.
Hanger.	Turner.
Harris of Bexar.	Turney.
James.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	

Absent.

McGee. Stafford.
Odell.

Absent—Excused.

Harris of Hunt. Yett.
Paulus.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday (eleventh day), the same, on motion of Senator Miller, was dispensed with.

The President declared the morning call concluded.

RESOLUTION REQUESTING ATTENDANCE OF LEGISLATIVE MEMBERS—CONSIDERATION OF RESUMED.

The President laid before the Senate the pending business,

Whereas, The only remaining business of this Called Session of the Twenty-seventh Legislature is the passage of an appropriation bill; and,

Whereas, It is deemed possible and probable to secure the passage of the same during this week, and that an adjournment can be had at the earliest day possible; therefore, be it

Resolved, That each member of the Senate, who is not unavoidably prevented from so doing, be and remain in the city of Austin during each and every remaining day of this Called Session in order to be prepared to dispose of public business at any and all times as the same may be presented to the Senate for its consideration,

5—Senate—2.

The pending motion being that of Senator Staples to table the resolution as amended.

Senator Miller asked leave to make a statement, and the President ruled that discussion was not in order with a motion to table pending, and asked if there were objection.

Senator Hanger made objection, and The question recurred on the motion to table.

(Senator Potter in the chair.)

Senator Davidson of DeWitt moved a call of the Senate on the motion to table, which call being duly seconded, the Chair (Senator Potter) ordered a roll call.

Pending the roll call, Senator Staples, by unanimous consent, withdrew his motion to table the resolution.

Under the ruling of the Chair (Senator Potter), withdrawal of the motion to table by Senator Staples carried with it the call of the Senate by Senator Davidson of DeWitt, it having been made upon the motion to table.

(Lieutenant-Governor Browning in the chair.)

FIRST HOUSE MESSAGE.

The following first House message was here delivered to the Senate:

Hall of the House of Representatives.
Austin, Texas, September 27, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following resolution:

Senate Joint Resolution No. 1, to provide for the appointment of a joint committee to investigate the various departments of the State government during vacation, and to report to the Governor and the next Legislature such data as may be gathered by them, and to make such recommendations as they see proper, and to make an appropriation to defray the expenses of such committee, with amendments.

Also Senate Concurrent Resolution No. 5, providing for a joint session of the House and Senate to witness the marriage ceremony of Hon. D. McNeil Turner and Mrs. S. M. Franklin on next Tuesday, at 12 o'clock noon.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

SENATE JOINT RESOLUTION NO. 1
(INVESTIGATING COMMITTEE)
—CALLED UP WITH HOUSE
AMENDMENTS.

Senator Turner called up from the ta-

ble Senate Joint Resolution No. 1, where it lay with House amendments, and the President laid before the Senate,

Senate Joint Resolution No. 1, to provide for the appointment of a joint committee to investigate the various departments of the State government during vacation, and to report to the Governor and the next Legislature such data as may be gathered by them, and to make such recommendations as they see proper, and to make an appropriation to defray the expenses of such committee.

The House amendments were read, and Senator Turner moved to non-concur in the same seriatim and inclusive, and ask the House for a Free Conference Committee.

FIRST EXECUTIVE MESSAGE.

The following first executive message was here delivered to and laid before the Senate:

(Senator Stafford in the chair.)

EXECUTIVE OFFICE,
STATE OF TEXAS,
AUSTIN.

To the Senate:

The advice and consent of the Senate is asked to the appointment of Richard B. Levy, Jr., of Gregg county, as judge of the Fourth Judicial District of Texas, in place of W. J. Graham, deceased.

JOSEPH D. SAYERS,
Governor.

EXECUTIVE SESSION—TIME SET FOR.

On motion of Senator McGee, at the conclusion of the pending business (investigating resolution—Senate Joint Resolution No. 1) was the time set for the Senate to go into executive session to consider the foregoing appointment.

SENATE JOINT RESOLUTION NO. 1 (INVESTIGATING COMMITTEE) —CONSIDERATION OF RESUMED.

The Senate here resumed consideration of Senate Joint Resolution No. 1, providing for an investigating committee, the pending motion being that of Senator Turner to non-concur in the House amendments seriatim and inclusive.

The motion to non-concur was lost.

Action recurring on the adoption of the House amendments, the same prevailed by the following vote:

(Lieutenant-Governor Browning in the chair.)

Yeas—23.

Beaty.	Miller.
Davidson of	Neal.
DeWitt.	Patterson.
Davidson of	Potter.
Galveston.	Savage.
Dibrell.	Sebastian.
Grinnan.	Stafford.
Hanger.	Swann.
Harris of Bexar.	Turney.
James.	Wayland.
Johnson.	Wheeler.
Lloyd.	Wilson.
McGee.	

Nays—3.

Goss.	Turner.
Staples.	

Absent.

Lipscomb.	Odell.
	Absent—Excused.
Harris of Hunt.	Yett.
Paulus.	

Senator Savage moved to reconsider the vote by which the House amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION NO. 1 (INVESTIGATING COMMITTEE).

(1) "Amend page 3, line 13, by adding after the word 'expenses' the following: 'not including board and lodging.'"

(2) "Amend page 3, line 24, by adding after the word 'witnesses' the following: 'not in the employ of the State.'"

(3) "Amend Section 2, page 2, by striking out the word 'nine,' in line 10, and inserting in lieu thereof the word 'five.' Second, by striking out the word 'four,' in line 11, and inserting in lieu thereof 'two.' Third, by striking out the word 'five,' in line 11, and inserting in lieu thereof the word 'three.'"

(4) "Amend line 12, page 3, by inserting after the word 'services' the following: 'and \$2 per day for each day after the first sixty days.'"

EXECUTIVE SESSION.

The President here announced the time set for the Senate to go into executive session for the purpose of acting upon the appointment sent in this day by the Governor (see first executive message above), and accordingly, the Chamber was closed.

AFTER EXECUTIVE SESSION.

In executive session the Senate refus-

ed to confirm the appointment of Richard B. Levy, Jr., of Gregg county, as judge of the Fourth Judicial District of Texas, in place of W. J. Graham, deceased.

ADJOURNMENT.

Senator Miller moved that the Senate adjourn until 10 o'clock a. m., Monday, September 30.

Senator Hanger moved that the Senate adjourn until 3 o'clock p. m. today.

Action recurred on the longest time first, and the motion of Senator Miller prevailed, and the Senate, at 1:30 o'clock p. m., accordingly adjourned.

THIRTEENTH DAY.

Senate Chamber,
Austin, Tex., Monday, Sept. 30, 1901.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

The roll was called, a quorum being present, the following Senators answering to their names:

Beaty.	Neal.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Sebastian.
Galveston.	Stafford.
Dibrell.	Staples.
Goss.	Swann.
Grinnan.	Turner.
Harris of Hunt.	Turney.
Lloyd.	Wayland.
McGee.	Wheeler.
Miller.	Wilson.

Absent.

Hanger.	Lipscomb.
Harris of Bexar.	Odell.
James.	Potter.
Johnson.	Savage.

Absent—Excused.

Yett.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of last Friday (twelfth day), the same, on motion of Senator Sebastian, was dispensed with.

COMMITTEE REPORT.

The following committee report was made to the Senate:

Committee Room,
Austin, Texas, September 20, 1901.
Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled

Bills have carefully examined and compared

Senate Concurrent Resolution No. 3, a concurrent resolution to appoint a joint committee from the Senate and House to investigate the departments and institutions of the State, etc.,

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WHEELER, Acting Chairman.

EXECUTIVE SESSION—TIME SET FOR.

Senator McGee moved that the Secretary be instructed to withhold his message to the Governor with reference to matter considered in executive session on last Friday (twelfth day).

The motion prevailed.

On further motion of Senator McGee, the hour of 10:20 o'clock a. m. was the time set for the Senate to go into executive session for the purpose of further considering the appointment sent in by the Governor on last Friday (twelfth day), which is as follows:

Judge of the Fourth Judicial District of Texas:

Richard B. Levy, Jr., of Gregg county, in place of W. J. Graham, deceased.

POST SESSION CLERICAL WORK—COMMITTEE PERPETUATED AND ENLARGED.

Senator Sebastian moved that the committee appointed during the First Special Session to determine the post session clerical work, which made no report, be perpetuated and when it reports that it do so on the two called sessions.

The motion prevailed.

Senator Savage moved that the committee which consisted of Senators Savage, Turner and Patterson be enlarged by the addition of Senators Lloyd and Sebastian.

The motion prevailed.

EXCUSED.

On motion of Senator Swann, Senator Neal was excused for non-attendance upon the Senate on last Monday, Tuesday, Wednesday and Thursday on account of important business.

APPARTMENTS FOR INVESTIGATING COMMITTEE—RESOLUTION PROVIDING FOR.

By unanimous consent Senator Savage introduced the following:

Senate Concurrent Resolution No. 7: Resolved by the Senate, the House of